UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,025	12/29/2000	Glen E. Shires	P273232 P10168	6430

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ART UNIT	PAPER NUMBER
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SUITE 2800
LOS ANGELES, CA   90017

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>15 July 2004</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1,4,6-8 and 11-23</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1,4,6-8 and 11-23</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claim Rejections - 35 USC § 103

2.   Claims 1, 4, 6-8, and 11-23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bateman et al. (U.S. Patent 5,884,032) in view of Kilander et al. (U.S.

Patent 5,742,675) and further in view of Rao (U.S. Patent 6,614,896).

Regarding claim 1, Bateman et al. teach the steps of: connecting a telephony

server (Fig. 1, 28) between a user station (Fig. 1, 2) and a call center (Fig. 1, 24) via a

telephone switching network, the call center in communication with at least one agent

station (Fig. 1, 12); connecting a browser server to the telephony server and the user

station and the agent station (Fig. 1 and col. 5, lines 2-34); a user issues a request for a

call-back (col.5, lines 35-37 and col. 6, lines 1-30), bridging a callback between the

agent and the user (col. 6, lines 52-60 and col. 10, lines 58-67).

However, Bateman et al. do not teach a telephony server is used to call the call

center and wait for an available agent. The availability of the agent being determined by

detecting a DTMF ID entered when an available agent answers the phone.

Kilander et al. teach a method and apparatus for automatically distributing calls

to available logged in call handling agents. A call handling agent logs on to his/her

computer at his/her workstation. The call center server (CCS 20) processes the log-on

transaction, acknowledges a valid log-on to the agent workstation. When the agent is

ready to take a new call, the agent signals his/her availability to the CCS 20 by entering

a command on the agent's computer and sending it over data link 26 to the CCS 20

(Fig. 2, 62, 64 and Fig. 3, 104, 106 and col. 6, lines 12-32). For example, the agent

enter agent ID via DTMF. Kilander et al. do not teach a telephony server is used to call

the call center and wait for an available agent.

Rao teaches an advertising system / server for callers to busy numbers. As soon

as the called party becomes free the advertisements server calls back to the originator

and connect the originator to the called party (abstract, col. 4, lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the features mentioned above, as taught by Kilander

and Rao, into Bateman's system in order to provide customer service support, and more

particularly to a call back system wherein the customer does not have to wait on hold to

speak to an agent, and having a telephony server to call the call center and wait for an

available agent when the call center does not have call back capabilities.

Regarding claim 4, Bateman et al. teach the request for call back comprises a

telephone number to be user for the call back (col. 6, lines 17-10). Bateman et al.

further teach the request for call back comprises and interest leads (col. 5, lines 42-43)

reads on claimed the request for call back comprises a problem. Bateman et al. do not

teach matching the available agent to the problem. Obviously, in order to handle

customers' call efficiently, it is necessary to match the available agent to the problem.

Claims 6 and 23 are rejected for the same reasons as discussed above with

respect to claim 1. Furthermore, Bateman et al. teach the system comprising: a call

center (Fig. 1, 24); at least one agent station (Fig. 1, 12) connecting to at least on agent

and the call center (col. 2, lines 42-57), telephony server (Fig. 1, 28). Bateman et al. do

not explicitly suggest storage for storing phone numbers to be called back and a

corresponding problem. Obviously, in order to there is a need for storage to store

phone numbers to be called back and a corresponding problem. Obviously, in order to

there is a need for a storage in order to store the phone number at which the customer

can be reached and further to store customers' problems.

Regarding claim 7, Bateman et al. teach a user station (Fig. 1, 12) where the

user issues a request for a call-back from a web page via a browser (col. 6, line 1-30);

receiving the request from the user and placing a call to a call center (col. 6, lines 31-

35); routing the call and the customer is connected to the agent (col. 6, lines 52-60).

Regarding claim 8, Bateman et al. teach a personal computer (Fig. 1, 4).

Claims 11-15 are rejected for the same reasons as discussed above with respect

to claims 1 and 4. Furthermore, Bateman et al. teach several computer hardware and

software configurations are needed (col. 11, lines 13-40).

Claims 16 and 17 are rejected for the same reasons as discussed above with

respect to claims 1 and 6.

Regarding claim 18, Bateman et al. teach initiating a co-browsing session

between the available agent and the customer (col. 6, lines 55-60).

Regarding claims 19 and 20, Bateman et al. teach the agent and customer are

viewing the same multimedia screen, and the agent can take order and/or provide

technical support (col. 6, lines 55-60), for example, customer billing information, and therefore the customer's web page is available to the agent.

Claim 21 is rejected for the same reasons as discussed above with respect to claim 1. Rao does not explicitly suggest whether a call center being with or without call back capabilities. Rao's system would work whether or not the call center has or does not have call back capabilities, since the advertisements server with an automatic call back facility handle the call back to the caller when the called party is available.

Regarding claim 22, Bateman et al. teach the World Wide Web servers are used to allow customers to access information from an organization. It would have been obvious that if a user has an account then it would have been helpful for accounting purposes to also include an account number besides a call back number.

Response to Arguments

3.   Applicant's arguments with respect to claims 1, 4, 6-8, and 11-23 have been considered but are moot in view of the new ground(s) of rejection.

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
September 29, 2004

AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
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